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United States Seeks Membership in European Commission for Democracy through Law

On January 30, the United States initiated the process of gaining full membership status in the European Commission for Democracy through Law, or the “Venice Commission.” The Commission is an independent advisory body, affiliated with the Council of Europe, which provides expert advice to governments on legal and constitutional reform. Experts appointed by member states engage in country visits, draft opinions, and make recommendations, in an effort to strengthen democratic institutions and promote compliance with human rights and fundamental freedoms. The Commission also provides support upon request to foreign courts regarding interpretation of laws and participates in electoral law reform and election observation.

Formed during the 1990s to provide advice to transitioning countries from Eastern Europe, the Commission originally sought to help prevent conflict and manage crises by strengthening rule of law institutions in countries undergoing the transition to democracy in Eastern Europe. It has more recently been influential in advising governments including Libya, Morocco, Tunisia, South Africa, and Latin America, in addition to governments across Europe.

The United States government has long supported the Commission’s legal reform efforts. It has held observer status on the Commission since 1991. In July 2012, Commission President Gianni Buquicchio wrote to Secretary Clinton inviting the United States to become a full member of the Commission. Necessary consultations and procedures will now be led by the Council of Europe to formally approve the United States’ full membership. As a full member, the United States will be able to appoint two experts to the Commission, doubling its current representation. Its experts will be able to take part in all four annual plenary sessions, participate in country visits, develop and draft opinions, and vote on opinions and recommendations. This status will enhance the United States’ ability to support more strongly reform efforts in such areas as the Middle East and North Africa, as well as in the still young democracies in some European countries.